

BK 1071 PG 0793

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER  
VGOB 07-1113-2082ELECTIONS: UNIT FF-42  
(herein Subject Drilling Unit)TAX MAP IDENTIFICATION NUMBERS:

Tax map identification numbers for all parcels affected by this order are shown on Exhibit marked "Tract Identifications" which is attached to and a part of this order.

REPORT OF BOARDFINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on January 31, 2008 which was recorded at Deed Book 1021, Page 455 in the Office of the Clerk of the Circuit Court of Tazewell County, Virginia, on February 8, 2008, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit FF-42;

Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company PO Box 3860 Kingsport, TN 37664, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 9 day of Feb, 2010, by a majority of the Virginia Gas and Oil Board.

Buddy C. Lambert  
Chairman, Bradley C. Lambert

DONE AND PERFORMED THIS 9<sup>th</sup> day of February, 2010, by Order of the Board.

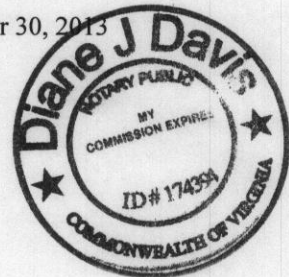
David E. Asbury Jr.  
David E. Asbury, Jr.,  
Principal Executive to the Staff of the Board

STATE OF VIRGINIA  
COUNTY OF RUSSELL

Acknowledged on this 9<sup>th</sup> day of Feb, 2010, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, and appeared David E. Asbury Jr., being duly sworn did depose and say that he is Principal Executive to the Staff of the Virginia Gas and Oil Board that they executed the same and were authorized to do so.

Diane J. Davis  
Diane J. Davis, Notary  
174394

My commission expires: September 30, 2013





VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit FF-42  
VGOB 07-1113-2082 in the Maiden Springs District of Tazewell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING  
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on January 31, 2008, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on February 8, 2008;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of January 31, 2008;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

Arnolene Snapp & Daniel Cadle

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 22<sup>nd</sup> day of January, 2010.

Anita D. Duty  
Anita D. Duty

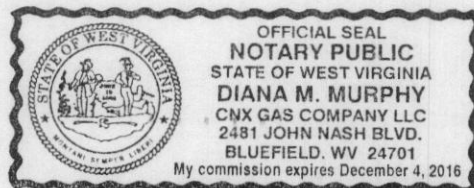
STATE OF WEST VIRGINIA  
COUNTY OF MERCER

Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Gas Company

LLC, on behalf of the corporate Designated Operator, this 22<sup>nd</sup> day of January, 2010.

Diana M. Murphy  
Notary

My commission expires: December 4, 2016





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PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX GAS COMPANY LLC AND WERE NOT SURVEYED.

BEARING & DISTANCE TO NEAREST WELLS WITHIN 2500' FROM CBM-FF42A

CBM-EE41 N 51°07'54" W 1580.54'  
CBM-EE41A N 30°12'15" W 2372.40'  
CBM-EE42 N 11°16'43" E 1425.94'  
CBM-EE43B N 59°55'50" E 1791.18'  
CBM-FF43 S 51°48'45" E 1808.16'  
CBM-FF43A N 88°29'28" E 2187.96'

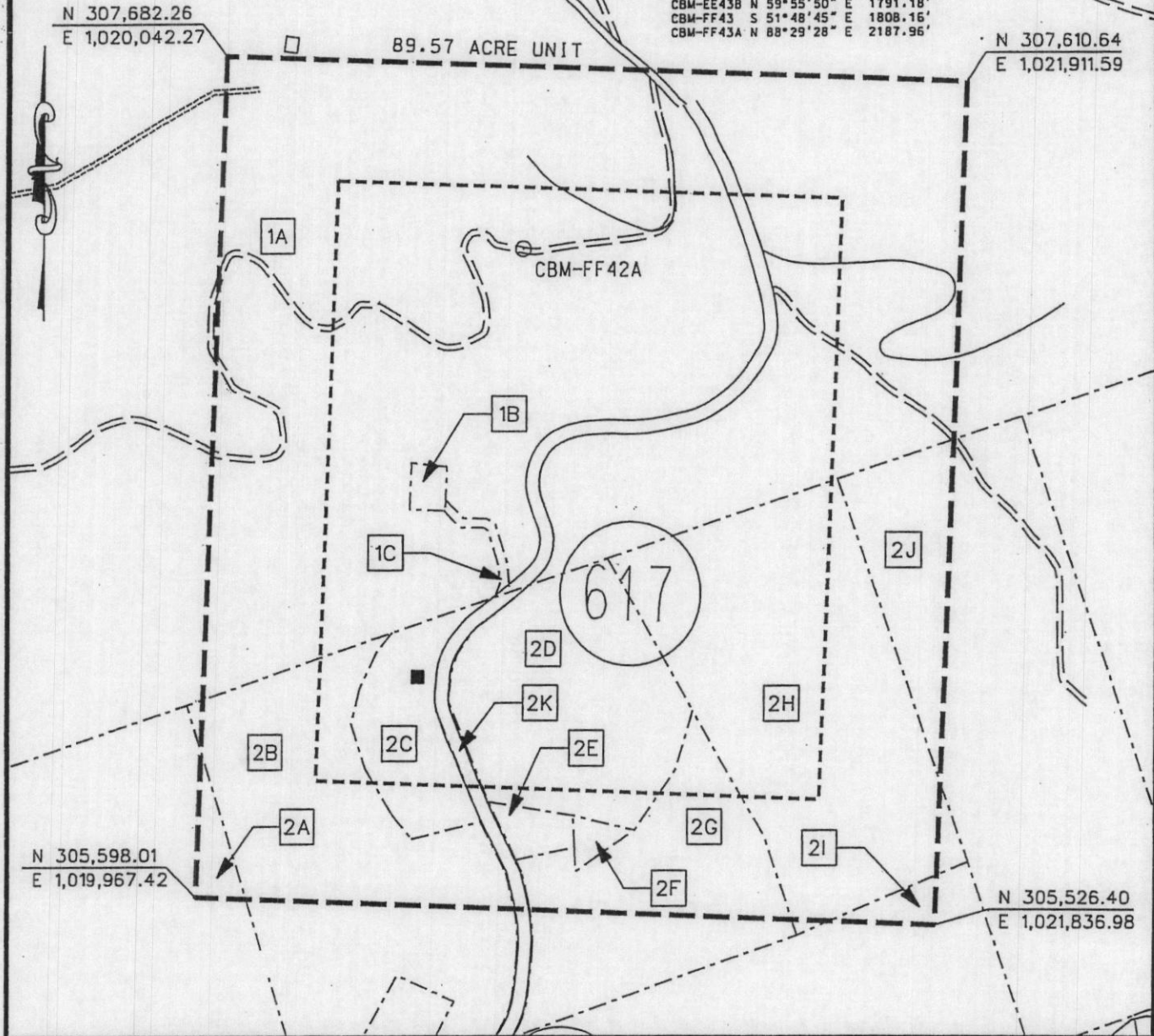
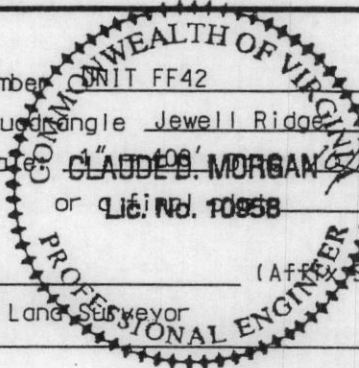


EXHIBIT A  
OAKWOOD FIELD  
UNIT FF-42  
FORCE POOLING  
VGOB-07-1113-2082

Company CNX Gas Company LLC Well Name and Number UNIT FF42  
Tract No. \_\_\_\_\_ Elevation \_\_\_\_\_ Quadrangle Jewell Ridge  
County Tazewell District Maiden Springs Scale 1"=100'  
This plat is a new plat X ; an updated plat \_\_\_\_\_ ; or 16 ; or 10000

Form DGO-GO-7  
Rev. 9/91

Charles D. Morgan (Affix Seal)  
Licensed Professional Engineer or Licensed Land Surveyor



## CNX Gas Company LLC

## UNIT FF-42

## Tract Identifications

(89.57 Acre Tract)

- 1A. Commonwealth Coal Corporation Tr. 9 (1497.62 Acre Tract) – Fee  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map: 84A Parcel: 122A  
52.91 acres 59.0711%
- 1B. Commonwealth Coal Corporation Tr. 9 (1497.62 Acre Tract) - Fee  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map: 84A Parcel: 122A  
0.23 acres 0.2568%
- 1C. Commonwealth Coal Corporation Tr. 9 (1497.62 Acre Tract) – All Minerals  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tazewell County Public Service Authority - Surface  
Tax Map: 85A Parcel: 40C  
0.16 acres 0.1786%
- 2A. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Fee  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Tax Map: 84A Parcel: 122A  
0.54 acres 0.6029%
- 2B. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Burkie Tedrow Barnett – Surface and All Minerals except Coal  
Tax Map: 85-01 Parcel: 0001  
6.61 acres 7.3797%
- 2C. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Stanley Boyd Heirs, et al – Surface and All Minerals except Coal  
Tax Map: 48A Parcel: 0002  
2.47 acres 2.7576%
- 2D. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Triple R Development, LLC – All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Corbet Dennis Johnson, et ux - Surface  
Tax Map: 85A Parcel: 0002  
6.50 acres 7.2569%



- Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Daniel L. Smith, et ux – Surface and All Minerals except Coal  
Tax Map: 85-01 Parcels: 0001B  
0.46 acres 0.5136%
- 2F. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Paul Smith, et ux – Surface and All Minerals except Coal  
Tax Map: 85-01 Parcels: 0001A  
0.25 acres 0.2791%
- 2G. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Winfred Smith, et ux – Surface and All Minerals except Coal  
Tax Map: 85-01 Parcel: 0001F  
3.67 acres 4.0974%
- 2H. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Triple R Development, LLC - All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Corbet Dennis Johnson, et ux - Surface  
Tax Map: 85A Parcel: 0001  
11.87 acres 13.2522%
- 2I. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Arnolene Snapp, et al – Surface and All Minerals except Coal  
Tax Map: 85-01 Parcel: 0004  
0.37 acres 0.4131%
- 2J. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) – Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Robin L. Hodges – Surface and All Minerals except Coal  
CNX Gas Company LLC – Oil, Gas and CBM Leased  
Tax Map: 85-01 Parcel: 0003  
2.77 acres 3.0926%
- 2K. Commonwealth Coal Corporation Tr. 10 (200 Acre Tract) - Coal  
Reserve Coal Properties Company - Below Drainage Coal Leased  
Knox Creek Coal Corporation – Coal In Tiller and Above Leased  
CNX Gas Company LLC – CBM Leased  
Commonwealth of Virginia – Surface and All Minerals except Coal  
Tax Map: 84A Parcel: 0000  
0.76 acres 0.8485%

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Exhibit B-2  
Unit FF-42  
Docket #VGOB 07-1113-2082  
List of Respondents to be Dismissed  
(89.57 Acre Unit)

	Acres in Unit	Interest in Unit	Reason for Dismissal
<b>II. OIL &amp; GAS OWNERSHIP</b>			
<b><u>Tract #2I, 0.37 acres</u></b>			
(1) Arnolene Snapp, et al	0.37 acres	0.4131%	
(a) Arnolene Snapp #55 Sedgewood Townhouse Bluefield, VA 24605	0.19 acres 1/2 of 0.37 acres	0.2065%	Leased
(b) Daniel Cadle 3776 West River Road Newton Falls, OH 44444	0.19 acres 1/2 of 0.37 acres	0.2065%	Leased



BK 1071 PG 0801

## Exhibit B-3

Unit FF-42

Docket #VGOB 07-1113-2082

List of Unleased Owners/Claimants  
(89.57 Acre Unit)

	Acres in Unit	Interest in Unit
<b>II. OIL &amp; GAS OWNERSHIP</b>		
<b><u>Tract #2B, 6.61 acres</u></b>		
(1) Burkie T. Barnett c/o Anne Blankenship 22646 Green Spring Road Abingdon, VA 24211	6.61 acres	7.3797%
<b><u>Tract #2C, 2.47 acres</u></b>		
(1) Stanley Boyd Heirs, et al Successors or Assigns	2.47 acres	2.7576%
(a) Stanley Boyd Estate c/o Novella Boyd Route 1 Box 218 Raven, VA 24639-9713	1.24 acres 1/2 of 2.47 acres	1.3788%
(b) Novella Boyd Route 1 Box 218 Raven, VA 24639-9713	1.24 acres 1/2 of 2.47 acres	1.3788%
<b><u>Tract #2E, 0.46 acres</u></b>		
(1) Daniel L. Smith, et ux 159 Hope Lane Raven, VA 24639	0.46 acres	0.5136%
<b><u>Tract #2F, 0.25 acres</u></b>		
(1) Paul Smith, et ux PO Box 685 Reedsville, WV 26547	0.25 acres	0.2791%
<b><u>Tract #2G, 3.67 acres</u></b>		
(1) Winfred Smith, et ux PO Box 651 Raven, VA 24639	3.67 acres	4.0974%
<b><u>Tract #2K, 0.76 acres</u></b>		
(1) Commonwealth of Virginia Dept. of Highways 870 Bonham Rd Bristol, VA 24201	0.76 acres	0.8485%

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Exhibit E  
Unit FF-42  
Docket #VGOB 07-1113-2082  
List of Conflicting Owners/Claimants that require escrow  
(89.57 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #2B, 6.61 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	6.61 acres	7.3797%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Burkie T. Barnett c/o Anne Blankenship 22646 Green Spring Road Abingdon, VA 24211	6.61 acres	7.3797%
<b><u>Tract #2C, 2.47 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	2.47 acres	2.7576%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Stanley Boyd Heirs, et al Successors or Assigns	2.47 acres	2.7576%
(a) Stanley Boyd Estate c/o Novella Boyd Route 1 Box 218 Raven, VA 24639-9713	1.24 acres 1/2 of 2.47 acres	1.3788%
(b) Novella Boyd Route 1 Box 218 Raven, VA 24639-9713	1.24 acres 1/2 of 2.47 acres	1.3788%
<b><u>Tract #2D, 6.50 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	6.50 acres	7.2569%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>Previously Triple R. Development, LLC</i>	6.50 acres	7.2569%



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Exhibit E  
Unit FF-42  
Docket #VGOB 07-1113-2082  
List of Conflicting Owners/Claimants that require escrow  
(89.57 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #2E, 0.46 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	0.46 acres	0.5136%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Daniel L. Smith, et ux 107 Christian St. Raven, VA 24639	0.46 acres	0.5136%
<b><u>Tract #2F, 0.25 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	0.25 acres	0.2791%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Paul Smith, et ux PO Box 685 Reedsville, WV 26547	0.25 acres	0.2791%
<b><u>Tract #2G, 3.67 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	3.67 acres	4.0974%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Winfred Smith, et ux PO Box 651 Raven, VA 24639	3.67 acres	4.0974%
<b><u>Tract #2H, 11.87 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	11.87 acres	13.2522%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Robin Hodges PO Box 1480 Bassett, VA 24055-4999 <i>Previously Triple R. Development, LLC</i>	11.87 acres	13.2522%

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## Exhibit E

Unit FF-42

Docket #VGOB 07-1113-2082

List of Conflicting Owners/Claimants that require escrow  
(89.57 Acre Unit)

	Acres in Unit	Interest in Unit
<b><u>Tract #2I, 0.37 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	0.37 acres	0.4131%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Arnolene Snapp, et al	0.37 acres	0.4131%
(a) Arnolene Snapp #55 Sedgewood Townhouse Bluefield, VA 24605	0.19 acres 1/2 of 0.37 acres	0.2065%
(b) Daniel Cadle 3776 West River Road Newton Falls, OH 44444	0.19 acres 1/2 of 0.37 acres	0.2065%
<b><u>Tract #2J, 2.77 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	2.77 acres	3.0926%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Robin L. Hodges PO Box 1480 Bassett, VA 24055-4999	2.77 acres	3.0926%
<b><u>Tract #2K, 0.76 acres</u></b>		
<b><u>COAL OWNERSHIP</u></b>		
(1) Commonwealth Coal Corporation, Tr.10 P.O. Box 1269 Bristol, VA 24203	0.76 acres	0.8485%
<b><u>OIL &amp; GAS OWNERSHIP</u></b>		
(1) Commonwealth of Virginia Dept. of Highways 870 Bonham Road Bristol, VA 24201-2002	0.76 acres	0.8485%

INSTRUMENT #100000861  
RECORDED IN THE CLERK'S OFFICE OF  
TAEWELL COUNTY ON  
MARCH 17, 2010 AT 10:28AM  
James E. Blevins, Clerk  
RECORDED BY: ADR